

**Notice of Allowability**

Application No.

10/799,026

Examiner

Kianni C. Kaveh

Applicant(s)

GLEBOV ET AL.

Art Unit

2883

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/20/05 and 8/30/05.
2. ☒ The allowed claim(s) is/are 1-7.
3. ☒ The drawings filed on 20 June 2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>5</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                  |
|   | 9. <input type="checkbox"/> Other _____.  |

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Schnapf on August 31, 2005.

In the 2<sup>nd</sup> line of claim 1, immediately after 'waveguides' please insert for providing a plurality of discrete optical waveguide paths for routing light signals between opposing ends of said flexible strip, said optical waveguide paths being

In the 3<sup>rd</sup> line of claim 1, immediately after 'layers' please insert , said plurality of waveguide layers defining generally parallel x- lanes and a z-axis which is a perpendicular to said x-y planes when said flexible strip in unflexed,

In the 3<sup>rd</sup> line of claim 1 please delete [for providing a plurality of optical paths between opposing ends of said flexible strip]

In the 4<sup>th</sup> line of claim 1, immediately after 'optical' please insert waveguide

In the 4<sup>th</sup> line of claim 1, immediately after 'two' please insert of said

In the 4<sup>th</sup> line of claim 1, immediately after 'layers' please insert such that the light signal routed in said optical wave guide path travels in a direction that is perpendicular to said z--axis in at least two wave guide layers

Authorization for the following examiner's amendment was given in a telephone interview with Mr. Schnapf on August 31, 2005.

Please cancel claims 8-34.

The above examiner's amendments were done in order to have the case allowed.

***Reason for Allowance***

Claims 1-7 are allowed for the following reasons:

The instant application is deemed to be directed to a nonobvious improvement over the invention patented in Pat. No. Yoshimura et al. (Yoshimura ) (US 6684007), and Bischel et al. (US 6556734).

Claim 1 is allowed because the prior art of record, taken alone or in combination, fails to disclose or render obvious said plurality of waveguide layers defining generally parallel x- lanes and a z-axis which is a perpendicular to said x-y planes when said flexible strip in unflexed, at least one of said optical waveguide paths running through at least two of said waveguide layers such that the light signal routed in said optical wave guide path travels in a direction that is perpendicular to said z--axis in at least two wave guide layers in combination with the rest of the limitations of the base claim. Claims 2-7 depend on claim 1 and therefore they are also allowed.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to K. Cyrus Kianni whose telephone number is (571) 272-2417.

The examiner can normally be reached on Monday through Friday from 8:30 a.m. to 6:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font, can be reached at (571) 272-2415.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872-9306 (for formal communications intended for entry)

**or:**

Hand delivered responses should be brought to Crystal Plaza 4, 2021 South Clark Place, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 308-0956.



K. Cyrus Kianni  
Primary Patent Examiner  
Group Art Unit 2883

**KAVEH KIANNI  
PRIMARY EXAMINER**

September 1, 2005